

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
ESTHER SALAS
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING
COURTHOUSE
50 WALNUT ST.
ROOM 5076
NEWARK, NJ 07101
973-297-4887

March 18, 2015

LETTER ORDER

**Re: *Zaerpour v. Federal Bureau of Investigation*
Civil Action No. 13-6073 (ES) (JAD)**

Dear Parties:

On July 23, 2014, Magistrate Judge Joseph A. Dickson issued a Report and Recommendation (“R&R”) recommending that Plaintiff Soheil Zaerpour’s Complaint be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction. (D.E. No. 9). Magistrate Judge Dickson advised the parties that they had until August 6, 2014 to file and serve any objections pursuant to Local Civil Rule 72.1(c)(2). (*Id.*). The parties did not file any objections within this timeframe,¹ and, on August 11, 2014, this Court issued a letter order adopting Magistrate Judge Dickson’s R&R in full and dismissing the case with prejudice. (D.E. No. 10).

Presently before the Court is Plaintiff’s motion for reconsideration of the Court’s August 11, 2014 letter order. (D.E. No. 12). A party seeking reconsideration must satisfy a high burden and “show[] one of three grounds: (1) an intervening change in the law; (2) the availability of new evidence; or (3) the need to correct clear error of law or prevent manifest injustice.” *Jackson v. City of Phila.*, 535 F. App’x 64, 69 (3d Cir. 2013). Plaintiff has failed to demonstrate any of these three grounds. Accordingly, the Court denies Plaintiff’s motion for reconsideration, (D.E. No. 12).

SO ORDERED.

s/Esther Salas
Esther Salas, U.S.D.J.

¹ Plaintiff asserts that his “opposition to Magistrate Judge Dickson’s Report and Recommendations was made ON TIME according to updated Docket Court information.” (D.E. No. 12). Plaintiff did file a document on August 6, 2014, which is entitled “Further comment against the motion to dismiss by the F.B.I.” (D.E. No. 11). However, this document does not specifically address Magistrate Judge Dickson’s R&R recommending a dismissal for lack of subject matter jurisdiction. Pursuant to Local Civil Rule 72.1, a party objecting to a Magistrate Judge’s recommendations or report must file “written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis of such objection.” L. Civ. R. 72.1(c)(2). Because D.E. No. 11 is not responsive to Magistrate Judge Dickson’s R&R, the Court does not construe this document to be an objection under Local Civil Rule 72.1(c)(2).